

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 18, 2011

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 18, 2011

The Senate met in regular session at 10:05 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Robert Bacon, member of the Senate from Story County, Maxwell, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jared Elm.

The Journal of Friday, January 14, 2011, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 13, 2011, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a concurrent resolution to provide for a joint convention of the two houses of the 2011 session of the Eighty-fourth General Assembly be held on Wednesday, February 16, 2011, at 10:00 a.m.

Read first time and referred to committee on **Rules and Administration**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:16 a.m. until 12:45 p.m.

AFTERNOON SESSION

The Senate reconvened at 12:53 p.m., President Kibbie presiding.

COMMITTEE ON CREDENTIALS

Senator Gronstal moved that a committee of five be appointed as a committee on credentials.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Fraise, Chair; Courtney, Schoenjahn, Behn, and Hahn.

The Senate stood at ease at 12:54 p.m.

The Senate resumed session at 12:57 p.m., President Kibbie presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copy of the certification of the Secretary of State duly elected to and entitled to seats in the Senate for the Eighty-fourth General Assembly.

EUGENE FRAISE, Chair
 THOMAS COURTNEY
 BRIAN SCHOENJAHN
 JERRY BEHN
 JAMES F. HAHN

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable Michael E. Marshall, the Secretary of the Senate:

I, Matt Schultz, Secretary of State of the State of Iowa; custodian of the files and records pertaining to the elections in the state,

DO HEREBY CERTIFY THAT the State Canvassing Board has declared that at a special election held on January 4, 2011, Joni K. Ernst was elected to fill a vacancy in the office of State Senator of the Forty-eighth District, for the balance of the term which began on January second, 2009.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse, in Des Moines, this eighteenth day of January, 2011.

MATT SCHULTZ
 Secretary of State

I hereby acknowledge receipt of the original copy of this document on this eighteenth day of January, 2011.

MICHAEL E. MARSHALL
Secretary of the Senate

On motion of Senator Fraise, the report was adopted by a voice vote, and the duly elected senator appeared before the bar of the Senate, was duly sworn, and subscribed her name to the oath of office.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:02 p.m. until 9:00 a.m., Wednesday, January 19, 2011.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

STATE BOARD OF TAX REVIEW

2010 Annual Report, pursuant to Iowa Code section 421.1(5). Report received on January 18, 2011.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Bob Barnes, Peterson—For being inducted into the National Cowboy and Western Heritage Museum's Hall of Fame. Senator Anderson (1/18/2011).

Donita Barnes, Peterson—For receiving the 2010 Tad Lucas Award. Senator Anderson (1/18/2011).

Allen Geddes, Mediapolis—For celebrating his 80th birthday. Senator Courtney (1/18/2011).

Leonard and Marjorie Jansa—For celebrating their 60th wedding anniversary. Senator Kapucian (1/18/2011).

Maxine Lanning, Burlington—For celebrating her 93rd birthday. Senator Courtney (1/18/2011).

E. Louise Martin, West Burlington—For celebrating her 90th birthday. Senator Courtney (1/18/2011).

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, January 12, 2011, 1:00 p.m.

Members Present: Seng, Chair; Fraise, Vice Chair; Black, Bowman, Courtney, Greiner, Hahn, Hancock, Houser, Kapucian, and Kibbie.

Members Absent: Johnson, Ranking Member; and Rielly (both excused).

Committee Business: Organizational meeting.

Adjourned: 1:30 p.m.

ECONOMIC GROWTH/REBUILD IOWA

Convened: Tuesday, January 11, 2011, 1:05 p.m.

Members Present: Soddors, Chair; Dotzler, Vice Chair; Greiner, Ranking Member; Bacon, Bertrand, Bowman, Chelgren, Danielson, Hatch, Horn, Rielly, Ward, and Wilhelm.

Members Absent: Dandekar (excused).

Committee Business: Discussion and approval of rules.

Adjourned: 1:20 p.m.

ETHICS

Convened: Tuesday, January 18, 2011, 11:50 a.m.

Members Present: Kibbie, Chair; Fraise, Vice Chair; McKinley, Ranking Member; Behn, Kettering, and Seng.

Members Absent: None.

Committee Business: Organizational meeting. Adopted rules. Assigned bills.

Adjourned: 11:55 a.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, January 10, 2011, 3:30 p.m.

Members Present: Horn, Chair; Jochum, Vice Chair; Ward, Ranking Member; Anderson, Bertrand, Chelgren, Courtney, Dearden, Dotzler, and Fraise.

Members Absent: Hatch (excused).

Committee Business: Organizational meeting. Discussed and adopted rules.

Adjourned: 3:40 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, January 18, 2011, 10:15 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; McKinley, Ranking Member; Bartz, Courtney, Danielson, Dearden, Dvorsky, Kettering, Ragan, and Zaun.

Members Absent: None.

Committee Business: Discussed legislative staff compensation.

Adjourned: 10:25 a.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 1, by Feenstra, a concurrent resolution requesting the United States Food and Drug Administration to rescind approval of ulipristal acetate.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

Senate Joint Resolution 1, by Zaun, Bertrand, Anderson, Sorenson, Ward, Kapucian, and Feenstra, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the sessions of the general assembly.

Read first time under Rule 28 and referred to committee on **State Government**.

INTRODUCTION OF BILLS

Senate File 36, by Hogg, a bill for an act relating to high school graduation requirements.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 37, by Johnson, Kapucian, and Kettering, a bill for an act relating to early school starts and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

Senate File 38, by Johnson, Sorenson, Feenstra, Anderson, Zaun, Boettger, Seymour, and Behn, a bill for an act relating to the use of federal health care reform funding for abortions, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 39, by Johnson, Sorenson, Feenstra, Behn, Anderson, Zaun, Boettger, and Seymour, a bill for an act relating to informed consent to an abortion and providing a criminal penalty, and providing effective dates.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 40, by Johnson, Sorenson, Feenstra, Anderson, Zaun, Boettger, Seymour, and Behn, a bill for an act relating to the definition and regulation of outpatient surgical facilities or ambulatory surgical centers and providing for fees.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 41, by Johnson, Sorenson, Feenstra, Anderson, Zaun, Boettger, Seymour, and Behn, a bill for an act relating to protocol for medically induced abortions, and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 42, by Johnson, Feenstra, Anderson, Zaun, Behn, Boettger, and Seymour, a bill for an act relating to abortions including prohibiting late-term abortions with certain exceptions, providing penalties, and including an effective date provision.

Read first time under Rule 28 and referred to committee on **Human Resources**.

Senate File 43, by Schoenjahn, a bill for an act relating to the protection and care of pioneer cemeteries.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 44, by Zaun, Anderson, Bertrand, Boettger, Bacon, Bartz, Chelgren, Sorenson, Ward, Seymour, Behn, and Feenstra, a bill for an act relating to the sale or lease of the Iowa communications network.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 45, by Zaun, a bill for an act providing for the placement of a right-to-work notice on certain state property and publications.

Read first time under Rule 28 and referred to committee on **State Government**.

Senate File 46, by Zaun, Boettger, Bacon, Behn, Seymour, and Feenstra, a bill for an act imposing a moratorium on the issuance of licenses for gambling games and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

STUDY BILLS RECEIVED

SSB 1025 Education

Providing for immunity from civil liability for members and employees of the board of educational examiners.

SSB 1026 Education

Relating to the grounds for which the board of educational examiners is required to disqualify an applicant for licensure or revoke a license.

SSB 1027 State Government

Relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties.

SSB 1028 State Government

Concerning certain vesting requirements for regular service members under the Iowa public employees' retirement system.

SSB 1029 State Government

Relating to charitable solicitations, by providing for registration requirements, providing for fees and appropriations, imposing penalties, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

JUDICIARY: Fraise, Chair; Boettger and Dvorsky

Senate File 17

JUDICIARY: Sodders, Chair; Dix and Hancock

Senate File 24

STATE GOVERNMENT: Horn, Chair; Smith and Sodders

Senate File 25

STATE GOVERNMENT: Jochum, Chair; Danielson and Sorenson

Senate File 26

STATE GOVERNMENT: Jochum, Chair; Behn and Hatch

Senate File 27

STATE GOVERNMENT: Jochum, Chair; Bertrand and Sodders

Senate File 29

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Hamerlinck

Senate File 30

WAYS AND MEANS: Dotzler, Chair; Feenstra and Jochum

Senate File 31

WAYS AND MEANS: Jochum, Chair; Bolkcom and Chelgren

Senate File 34

JUDICIARY: Fraise, Chair; Boettger and Dvorsky

Senate File 35

JUDICIARY: Fraise, Chair; Dvorsky and Sorenson

SSB 1025

EDUCATION: Schoenjahn, Chair; Hogg and Johnson

SSB 1026

EDUCATION: Schoenjahn, Chair; Bowman and Smith

SSB 1027

STATE GOVERNMENT: Sadders, Chair; Bertrand and Courtney

SSB 1028

STATE GOVERNMENT: Danielson, Chair; Feenstra and Kibbie

SSB 1029

STATE GOVERNMENT: Dearden, Chair; Horn and Sorenson